

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION DIVISION**

IN RE: BETTY JEAN  
FITZGERALD

CASE NO: 04-37277-H4-3

DEBTOR(S)

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§

CHAPTER 13

**MOTION TO DEPOSIT FUNDS INTO THE COURT REGISTRY  
PURSUANT TO 11 U.S.C. §347 (a)**

**PURSUANT TO** 11 U.S.C. §347 (a), David G. Peake, Chapter 13 Trustee respectfully reports that:

More than ninety (90) days has passed since the final distribution. Funds payable to the debtor listed on Exhibit "A" hereto remains unclaimed.

**WHEREFORE PREMISES CONSIDERED,** DAVID G. PEAKE, Chapter 13 Standing Trustee respectfully prays that this Court authorize the Trustee to deposit these funds into the registry of the United States District Court, and grant the Trustee such other and further relief as he may show himself or Debtor's Estate justly entitled.

Date: 12/16/2009

Respectfully Submitted,

/s/ David G. Peake

David G. Peake, Trustee  
Admissions I.D. #3857  
9660 Hillcroft, Ste 430  
Houston, TX 77096  
713-283-5400

**EXHIBIT "A"**

IN RE: BETTY JEAN FITZGERALD

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DEBTOR(S)

CHAPTER 13

<b>UNCLAIMED FUNDS</b>
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**NAME & ADDRESS:**

**AMOUNT**

**BETTY JEAN FITZGERALD  
PO BOX 451395  
HOUSTON, TX 77245**

**\$325.89**

**TOTAL FOR UNCLAIMED FUNDS**

**\$325.89**

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DEBTOR(S)

CHAPTER 13

<p><b>CERTIFICATE OF SERVICE OF MOTION TO PAY INTO THE COURT REGISTRY PURSUANT TO 11 U.S.C. § 347(a)</b></p>
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I hereby certify that on 12/16/2009 ,a true and correct copy of the foregoing Motion to Deposit Funds into the court Registry Pursuant to 11 U.S.C. §347(a) was served via the U.S. Postal Service, first class mail, postage prepaid as shown on Exhibit A.

/s/ David G. Peake

David G. Peake,  
Chapter 13, Trustee